

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

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Certiorari to Dorchester County  
Diane Schafer Goodstein, Circuit Court Judge

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DEVIN MILLER,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2013-001390

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MOTION FOR AN EXTENSION OF TIME  
IN WHICH TO FILE THE PETITION FOR WRIT OF  
CERTIORARI AND APPENDIX

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Counsel for Devin Miller respectfully requests an extension of thirty (30) days in which to file the petition for writ of certiorari and appendix in this case. This motion is made pursuant to the Order of the South Carolina Supreme Court dated March 18, 2009. This is a second request for an extension. In support of this request, counsel shows:

1. The petition for writ of certiorari and appendix are due to be served and filed with the Court today.
2. Counsel for Devin Miller respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time. Given the number of extensions previously granted and the order in which counsel attempts to manage her caseload, counsel hopes that no further extension requests will be required.

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**S.C. Supreme Court**

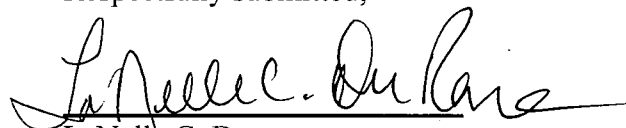
3. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Tijuan Peake v. State of South Carolina with this Court on December 10, 2013. Counsel filed the petition for writ of certiorari to the Court of Appeals in the case of In The Matter of the Care and Treatment of Bobby Russell with this Court on December 10, 2013. Counsel filed the petition for writ of certiorari to the Court of Appeals in the case of In The Matter of the Care and Treatment of Christopher Taft with this Court on December 10, 2013. Counsel filed the petition for writ of certiorari to the Court of Appeals in the case of The State v. David Jakes with this Court on December 5, 2013. Counsel filed the petition for rehearing in the case of The State v. Oran Smith with the Court of Appeals on December 4, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of In the Matter of the Care and Treatment of Richard Dean Capps with the Court of Appeals on November 25, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Shane Lamar Moore v. State of South Carolina with this Court on November 22, 2013. Counsel had an oral argument in the case of In the Matter of the Care and Treatment of Vince Neal Way in this Court on November 20, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Rahim F. Carter v. State of South Carolina with this Court on November 14, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Barry Reynolds Styles v. State of South Carolina with this Court on November 7, 2013. Counsel had an oral argument in the case of The State v. Phillip Wesley Sawyer in this Court on November 5, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of In the Matter of the Care and Treatment of Timothy Geter with this Court on November 4, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Irshad Muhammad v. State of South Carolina with this Court on October 31, 2013. Counsel attended

and participated on the CLE Appellate Practice Project Seminar at the South Carolina Bar Conference Center on October 24, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Tremon Doctor v. State of South Carolina with this Court on October 23, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. India Sowell with the Court of Appeals on October 17, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Anthony L. Mattison v. State of South Carolina with this Court on October 16, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Thomas Arnold Gregory v. State of South Carolina with this Court on October 16, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Fredrick E. Johnson v. State of South Carolina with this Court on October 11, 2013.

4. Counsel makes this request in good faith and not for purpose of delay.
5. Counsel for the Attorney General's office has been informed of this request.

WHEREFORE, the undersigned counsel would respectfully request a thirty day extension, in which to file the petition for writ of certiorari and appendix in this case based upon the above exigent circumstances. Counsel requests that time limits for filing the petition be held in abeyance pending a ruling on this motion.

Respectfully submitted,



LaNelle C. Durant  
Appellate Defender

Attorney for Petitioner

December 12<sup>th</sup>, 2013

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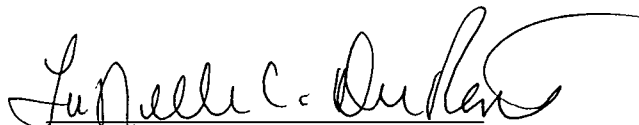
RESPONDENT

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CERTIFICATE OF SERVICE

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I certify that a true copy of the motion for an extension of time in which to file the petition for writ of certiorari and appendix in the above case has been served upon Ashleigh R. Wilson, Esquire, Assistant Attorney General, Office of the Attorney General, Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, this 12th day of December, 2013.



LaNelle C. Durant  
Appellate Defender

ATTORNEY FOR PETITIONER

SWORN TO BEFORE ME this 12th day  
of December, 2013.

 (L.S.)  
Notary Public for South Carolina  
My Commission Expires: July 3, 2023.